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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/681,532	04/24/2001	David B. Wheeler	800529	9723

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EXAMINER

PERUNGAVOOR, VENKATANARAY

ART UNIT

PAPER NUMBER

2132

DATE MAILED: 05/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/681,532	Applicant(s) WHEELER ET AL.	
	Examiner Venkatanarayanan Perungavoor	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 1-11, 13-30
☒ Claim(s) 1-30 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 1-11, 13-30
☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's argument with respect to Claim 1 and 26 are not persuasive. As Chapman et al. in U.S. Patent 5,774,650(hereinafter Chapman) discloses the comparing the new user profile with an temporarily unauthorized user profile to check for similarity match and further granting or denied access based on that data see Col. 5 Line 30-45 & Col. 6 Line 58-63. And further Chapman teaches of checking account details which includes data about the user including user's language(profile data) see Col. 5 Line 50-56. Chapman also discloses the new user no longer needs to input profile data once it is in the system see Col. 5 Line 18-30. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., similarity matching) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).
2. Applicant's arguments with respect to Claim 2 is not persuasive. As Brown discloses having an weight the is the result of measurement of closeness see Col 13 Line 27-30.

3. Applicant's arguments with respect to Claim 10 is not persuasive. As Brown discloses an table where close match are stored before testing for more closeness see Col 13 Line 49-59.
4. Applicant's arguments with respect to Claim 11 is not persuasive. As Brown discloses networked computers and the outputting of through network connection to other computers(which included web-based output) see Col. 20 Line 34-38 & 52-56; the outputting of new-user to a user-review database before the confirming of match is also disclosed by Brown see Col. 13 Line 27-30.
5. Applicant's arguments with respect to Claim 13 is not persuasive. As Chapman combined with Brown recites all of the limitation of Claim 13. Chapman discloses the receiving of plurality of new user profile info and updating of new-users and suspended user files(databases) see Col 4 Line 16-26 & Col 6 Line 56-64 & Column 1 Line 57-61. Additionally the granting of access and denying of access based on the similarity is disclosed by Chapman see Col. 6 Line 66- Col 7 Line 6 & Col.3 Line 53-62. And further, Brown disclose the use of similar search engine and the review process to compare the closeness see Col 13 Line 27- Col 14 Line 7.
6. For citations of 35 USC § 102(b) and 103(a) codes please consult previous non-final office action.

Response to Amendments

Claim Rejections – 35 USC § 102

7. Claim 1,3-8,14-17 rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5774650 to Chapman et al.

8. Regarding Claim 1,

a) Chapman et al. discloses an record containing profile data about the user see Column 1 Line 17-20.

b) and c) Chapman et al. discloses similarity searching the profile data against an list see Column 5 Line 30-41 and receiving an result of the similarity search see Column 5 Line 42-45

d) and e) Chapman et al. discloses comparing profile data against an unauthorized list to check to see if the user could gain access to the computer system.

f) Chapman et al. discloses an review process where an profile data is compared against an unauthorized list and deny the user access wherein the match is found see Column 6 Line 66-Column 7 Line 6.

9. Regarding Claim 3, The "permanently denying the new user access to the computer system" is met by Chapman et al. see Column 1 Line 32-34.

10. Regarding Claim 4, The "temporarily denying the new user access to the computer system for a pre-determined period" is met by Chapman et al. see Column 6 Line 45-47.
11. Regarding Claim 5, The "creating an account for each new user" is met by Chapman et al. see Column 4 Line 4-6 & Column 4 Line 13-14.
12. Regarding Claim 6, Chapman et al. discloses an receiving a plurality of records into an file see Column 4 Line 16-20.
13. Regarding Claim 7 and Claim 8, Chapman et al. discloses updating of files for new users and suspended users see Column 1 Line 57-61.
14. Regarding Claim 14, The "creating an account for each new user" is met by Chapman et al. see Column 4 Line 4-6 & Column 4 Line 13-14.
15. Regarding Claim 15 and Claim 16, Chapman et al. discloses updating of files for new users and suspended users see Column 1 Line 57-61.
16. Regarding Claim 17, Chapman et al. discloses a command that invokes a search to be performed see Column 5 Line 22-28.

17. Regarding Claim 26, Chapman et al. discloses an record containing profile data about the user see Column 1 Line 17-20. Chapman et al. discloses extracting and similarity searching the profile to determine the validity of the user and receiving an result from the search see Column 5 Line 30-41. Chapman et al. discloses determining if there an match and according allowing the user to access the computer system see Column 5 Line 43-46. Chapman et al. discloses an review process where an profile data is compared against an unauthorized list and deny the user access wherein the match is found see Column 6 Line 66- Column 7 Line 6.

18. Regarding Claim 27, Chapman discloses the computer-readable medium containing instructions about the Col 3 Line 32-48.

Claim Rejections -35 USC § 103

19. Claim 2,9-11,13 rejected under 35 U.S.C. 103(a) as being unpatentable over Chapman et al. (U.S. Patent N0.57746560) in view of U.S. Patent No. 6026398 to Brown et al.

20. Regarding Claim 2, Chapman et al. does not disclose having ah match score for the similarity result and comparing the match score against an predetermined match score. However, Brown et al. disclose having an match score for the similarity result see Column 3 Line 66- Column 4 Line 7 and Brown et al. also

disclose comparing the match score against an predetermined tolerance level see Column 14 Line 49-51 . It would be obvious to one having ordinary skill in the art at the time of the invention to include a match score for the similarity result and comparing the match score against an predetermined match score in order to get precise match for the closest match records see Column 4 Line 27-30.

21. Regarding Claim 9, Chapman et al. does not disclose similarity searching user profile data against the suspended-users profile database, via a batch similarity search engine. However, Brown et al. discloses an match engine for similarity searching the input data against an database of records see Column 8 Line 17-25. It would be obvious to one having ordinary skill in the art at the time of the invention to include an match engine for similarity searching the input data against an database of records in order to determine how closely related the input data is to database of records see Column 8 Line 48-51.

22. Regarding Claim 10, Chapman et al. does not disclose relaying the new-user record to a user-review database, before the step of confirming at least one similarity. However, Brown et al. does disclose submitting records for review where tests are conducted. to confirming similarity see Column 14 Line 8-14 done before the step of confirming at least one similarity. It would be obvious to one having ordinary skill in the art at the time of the invention to include a review process where tests are conducted to confirming similarity in order to determine

the likelihood of a match between input data and stored data see Column 14 Line 17-21.

23. Regarding Claim 11, Chapman et al. fails to disclose displaying the user-review database via a web-based interface, after the step of relaying the new-user record to a user-review database and before the step of confirming at least one similarity. However, Brown et al. discloses an outputting the review see Column 15 Line 62-Column 16 Line 3, which is done after the step of relaying the new-user record to a user-review database and before the step of confirming at least one similarity and Brown et al. further discloses that the output can be an network connections linked through an computer system see Column 20 Line 53-56. It would be obvious to one having ordinary skill in the art at the time of the invention to include an output of review to be web-based interface so as that commonly used processor may be used see Column 20 Line 50-52.

24. Regarding Claim 13,

a) Chapman et al. does not disclose "receiving a plurality of records into a production new-user database". However Brown et al. discloses an receiving a plurality of records into an file see Column 4 Line 16-20.

b) and c) Chapman et al. discloses updating of files for new users and suspended users see Column 1 Line 57-61 & Col 4 Line 16-26 & Col 6 Line 56-64.

d) and e) Chapman et al. does not disclose relaying the profile data to similarity searching user profile data against the suspended-users profile database, via a batch similarity search engine. However, Brown et al. discloses relaying the profile data to a match engine for similarity searching the input data against a database of records see Column 8 Line 17-25. It would be obvious to one having ordinary skill in the art at the time of the invention to include a match engine for similarity searching the input data against a database of records in order to determine how closely related the input data is to database of records see Column 8 Line 48-51 .

f) Chapman et al. discloses receiving a result of the similarity search see Column 5 Line 42-45

g) and h) Chapman et al. discloses comparing profile data against an unauthorized list to check to see if the user could gain access to the computer system.

i)Chapman et al. does not disclose relaying the new-user record to a user-review database, before the step of confirming at least one similarity. However, Brown et al. does disclose submitting records for review where tests are conducted to confirming similarity see Column 14 Line 8-14 done before the step of confirming at least one similarity. It would be obvious to one having ordinary skill in the art at the time of the invention to include a review process where tests are conducted to confirming similarity in order to determine the likelihood of a match between input data and stored data see Column 14 Line 17-21 .

i),ii) and iii) Chapman et al. discloses checking whether the user gets access to the

computer system based on the comparison with the file, allowing and denying access to the computer system based on the file see Column 6 Line 66-Column 7 Line 6 and updating the database of suspended users is disclosed Chapman et al. see Column 1 Line 57-61.

25. Regarding Claim 18, Chapman et al. does not disclose having a match score for the similarity result and comparing the match score against a predetermined match score. However, Brown et al. disclose having a match score for the similarity result see Column 3 Line 66- Column 4 Line 7 and Brown et al. also disclose comparing the match score against a predetermined tolerance level see Column 14 Line 49-51 . It would be obvious to one having ordinary skill in the art at the time of the invention to include a match score for the similarity result and comparing the match score against a predetermined match score in order to get precise match for the closest match records see Column 4 Line 27-30.

26. Regarding Claim 19, Chapman et al. discloses a similarity search result is received for each new-user record searched see Column 5 Line 30-41.

27. Regarding Claim 20, Chapman et al. discloses a similarity search result being received for all-user records searched see Column 5 Line 65- Column 6 Line 1.

28. Regarding Claim 21, Chapman et al. does not disclose relaying the new-user record to a user-review database, before the step of confirming at least one similarity. However, Brown et al. does disclose submitting records for review where tests are conducted to confirming similarity see Column 14 Line 8-14 done before the step of confirming at least one similarity. It would be obvious to one having ordinary skill in the art at the time of the invention to include a review process where tests are conducted to confirming similarity in order to determine the likelihood of a match between input data and stored data see Column 14 Line 17-21 .

29. Regarding Claim 22, Chapman et al. fails to discloses displaying the user- review database via a web-based interface, after the step of relaying the new-user record to a user-review database and before the step of confirming at least one similarity. However, Brown et al. discloses an outputting the review see Column 15 Line 62-Column 16 Line 3, which is done after the step of relaying the new-user record to a user-review database and before the step of confirming at least one similarity and Brown et al. further discloses that the output can be an network connections linked through an computer system see Column 20 Line 53-56. It would be obvious to one having ordinary skill in the art at the time of the invention to include an output of review to be web-based interface so as that commonly used processor may be used see Column 20 Line 50-52.

30. Regarding Claim 23, The permanently denying the new user access to the computer system" is met by Chapman et al. see Column 1 Line 32-34.

31. Regarding Claim 24, The "temporarily denying the new user access to the computer system for a pre-determined period" is met by Chapman et al. see Column 6 Line 45-47.

32. Regarding Claim 28, Chapman discloses the computer-readable medium containing instructions about the Col 3 Line 32-48.

33. Regarding Claim 29, Chapman discloses the similarity searching of new user against an suspended user database and further allowing and denying access see Col 5 Line 30-49 & Col. 57-64. Chapman et al. does not disclose having an match score for the similarity result and comparing the match score against an predetermined match score. However, Brown et al. disclose having an match score for the similarity result see Column 3 Line 66- Column 4 Line 7 and Brown et al. also disclose comparing the match score against an predetermined tolerance level see Column 14 Line 49-51. It would be obvious to one having ordinary skill in the art at the time of the invention to include a match score for the similarity result and comparing the match score against an predetermined match score of Brown's in the granting and denying of access to a computer system of

Chapman in order to get precise match for the closest match records see Column 4 Line 27-30.

34. Regarding Claim 30, The confirming of similarity with a match score is not disclosed by Chapman. However, Brown discloses the confirming of similarity score see Col. 13 Line 49-59. It would be obvious to one with ordinary skill in the art at the time of the invention to include the similarity match score of Brown in Chapman's allowing and denying of access based on match in order to determine the likelihood of an match as taught in Brown see Col. 13 Line 55-59.

Conclusion

35. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

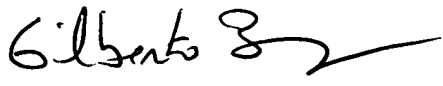
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

36. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkatanarayanan Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8-4:30.
37. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VP
4/29/2005

Venkatanarayanan Perungavoor
Examiner
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